

Kirkland High Quality Pozzolan Mine, Draft Mining and Reclamation Plan of Operations

PROJECT TIMELINE

****All timeframes are tentative and are subject to change.****

I. APPLICATION PROCESS – COMPLETED – SPRING 2017

- Determination on April 20, 2017 by the Bureau of Land Management (BLM) that the high quality pozzolan is an “uncommon variety.”
>> This “Memorandum Report” is available on the Project website. This determination was not subject to appeal.
- BLM determined the Project is regulated under the General Mining Act of 1872 (“3809” regulations).
- In accordance with Section 302 (b) of the Federal Land Policy and Management Act (FLPMA) of 1976, the BLM would ensure that approval of the Project would not cause any unnecessary or undue degradation of the public lands.
- BLM accepted the Draft Mining and Reclamation Plan of Operations (Plan) on June 23, 2017.
>>This Plan (July 5, 2018 version) and completeness review letter (dated June 23, 2017) from the BLM to the Kirkland Mining Company, LLC are available on the Project website.
- BLM accepted a Class III cultural resources inventory for the 160-acre proposed mine site.
>> Based on precedence in case law, the BLM may make the report available to the public with the location of the cultural sites redacted from disclosure.
- BLM accepted a Biological Evaluation for the 160-acre proposed mine site. A supplemental Special Status Screening has also been prepared.
>> These reports are available on the Project website.

II. PUBLIC SCOPING – COMPLETED – SUMMER/FALL 2017

- On June 26, 2017 the BLM published a news release announcing the public scoping period. The BLM provided letter notification to approximately 143 residents within a 2-mile radius of the proposed mine site (Kirkland and Skull Valley). The notification included a link to the Project website with additional information available.
- A public open house was held on July 11, 2017 at the Skull Valley Community Center. Approximately 140 people were in attendance.
- On July 24, 2017 the BLM published a second news release announcing the extension of the public scoping period. The BLM provided email or postcard notification to approximately 1,659 residents in the communities of Skull Valley, Kirkland, Yarnell, Congress, Peeples Valley and Prescott. The notifications included a link to the Project website with additional information available, including Frequently Asked Questions.
- Articles were published in *The Daily Courier* (Prescott) on July 19, 2017 and August 4, 2017; the *Wickenburg Sun* on July 19, 2017 and July 27, 2017; *The Yellow Sheet* on August 2, 2017; and the *Sedona Eye* on July 22, 2017.
- Flyers announcing the extension of the scoping period were posted in US Post Offices in the Skull Valley, Kirkland, Yarnell and Congress, and on a community board in Peeples Valley.
- On August 23, 2017 the BLM published a news release announcing the final extension of the public scoping period until September 11, 2017. An article on the second extension of the public scoping period was published in *The Daily Courier* (Prescott) on August 31, 2017.
- Flyers announcing the extension of the scoping period and the Fact Sheet were posted in US Post Offices in Skull Valley, Kirkland, Yarnell and Congress, and on a community board in Peeples Valley.

III. PUBLISH PUBLIC COMMENTS – COMPLETED - FALL 2017

All public comments received during the 78-day scoping period have been made available on the Project website. Public comments received were made available on October 19, 2017.

As of October 7, 2017, approximately 989 emails or comment letters have been received (approximately 1,442 pages, including literature or reports attached to emails or letters). An email or comment letter may have more than one issue statement. Some emails or comment letters were duplications.

The BLM also received petitions with 255 signatures or statements from a website (approximately 133 pages).

Petitions were submitted on the following topics:

1. Request an extension of the scoping period for 120-days;
2. Request an environmental impact statement;
3. Petition with various issues and concerns on the proposed mine;
4. Petition with a wide range of environmental issues, many non-specific to this Project including statements such as “Save the Earth.”

As previously described on the Project website, the NEPA process is not an election and the BLM does not tally up the number of ‘votes cast’ in making its determination on what issues to analyze.

- **Ninety percent** of the duplicative comments fell into the following four **issue categories**:
 - a) Potential impacts to air quality, at the mine site and along the unidentified transportation route from particulates including silica and vehicle emissions;
 - b) Potential impacts to groundwater from use of a well on private land in order to support dust suppression activities at the mine site;
 - c) Potential impacts to communities along an unidentified transportation network from increased truck traffic and its potential impacts on county and state roads.
 - d) Potential impacts to socioeconomics such as changes in local tax revenues, changes in employment from the mine, and general quality of life.

IV. ADDITIONAL BASELINE STUDIES/REPORTS – COMPLETED - SPRING 2018

The following baseline studies or reports were published on April 3, 2018:

- *Geochemical Assay Testing for the Possible Presence of Airborne Carcinogens at the Proposed Kirkland High Quality Pozzolan Mine.*
- *Evaluation of Potentially Jurisdictional Waters Within the Kirkland Analysis Area.*
- *Evaluation of Skull Valley Ranch Wells as a Water Supply for the Kirkland Mine.*
- *Traffic Impact Statement.*
- *Supplemental Traffic Analysis.*

An announcement of the publication of these studies was made by news release, including publication in *The Yellow Sheet* on April 4, 2018. Notification was made to approximately 627 individuals on the Project mailing list by email on April 3, 2018. Articles were published in the *Wickenburg Sun* on April 18, 2018, and the *Prescott Courier* on May 21, 2018. Although not done during an official comment period, the objective of the independent release of the baseline studies was to provide the public with key information that the public had sought during public scoping, but the baseline studies were not available at that time.

Cooperating Agencies

On November 7 and November 21, 2017 the BLM invited seven State, county or tribal governments to become a Cooperating Agency under the NEPA for this Project. The following agencies or tribal governments have accepted the invitation:

- Environmental Protection Agency

- Arizona Department of Environmental Quality
- Yavapai-Prescott Indian Tribe

On May 8, 2018 the three Cooperating Agencies were provided the opportunity to review the (internal) Administrative Draft Environmental Assessment. The BLM received input from the Environmental Protection Agency to consider on May 24, 2018.

National Historic Preservation Act

On April 16, 2018, the BLM initiated government-to-government consultation under the National Historic Preservation Act for the 165-acre Project area. The notifications were sent to the following tribes which have ancestral lands in the area: Hopi Tribe, Hualapai Tribe, Salt River Pima-Maricopa Indian Community, Yavapai-Prescott Indian Tribe, and Pueblo of Zuni. The correspondence included the offer of a field visit to the Project area in early May 2018. On May 3, 2018, BLM staff met with the cultural resources staff from the Yavapai-Prescott Tribe. On May 4, 2018, BLM staff met with the Tribal Historic Preservation Officer and elders from the Hualapai Tribe. During the field visits, the BLM and tribes visited cultural sites and were provided information on how Project design was modified in order to avoid impacts to cultural sites. The tribes expressed interest in long-term monitoring of the cultural sites as vandalism has occurred to sites in the area in recent years.

Early informal consultation with the Arizona State Historic Preservation Office (SHPO) was initiated in Fall 2017 with the submittal of the Class III cultural resources inventory for the 160-acre proposed mine site. Consultation between SHPO and BLM resulted in some changes in eligibility findings and incorporation of the approximately 5 acres of privately owned lands that are part of the proposed project area into the Class III cultural resources inventory. On May 15, 2018, the BLM initiated formal consultation with SHPO for the 165-acre Project area. This revised Class III inventory also incorporated Kirkland Mining Company, LLC-proposed changes in the Project footprint to allow for avoidance of cultural resources. The BLM requested concurrence from the SHPO on the following: 1) the boundary of the Area of Potential Effect; 2) the eligibility of cultural sites in the Project area; and 3) the determination of effect to cultural sites eligible for listing on the National Register of Historic Places.

On June 4, 2018 the SHPO concurred with the BLM determinations: 1) that the transportation network would not affect historic properties; 2) agreed with the eligibility of several cultural sites in the Project area and ineligibility of other sites; and 3) agreed that there would be no “adverse effect” to historic properties in the Project Area. With this letter, the BLM has concluded compliance with Section 106 of the National Historic Preservation Act for this Project.

V. PREPARE “DRAFT” ENVIRONMENTAL ASSESSMENT – COMPLETED - SPRING 2018

Analyze a No Action Alternative and Proposed Action, at a minimum.

Analyze other alternatives that meet the Project’s purpose and need.

>>The purpose for the action is to respond to Kirkland Mining Company, LLC’s Draft Plan and provide opportunity for Kirkland Mining Company, LLC to conduct mining operations and development of associated infrastructure within Kirkland Mining Company, LLC’s unpatented mining claims on BLM-administered lands, pursuant to federal mining laws.

>>The need for the action is established by the BLM’s responsibility under the FLPMA, and Surface Management Regulations (43 CFR [Code of Federal Regulations] 3809), to respond to the Draft Plan and take action necessary to meet the performance standards in 43 CFR 3809 and prevent unnecessary or undue degradation of the subject BLM-administered lands. In addition, the BLM must determine whether any occupancy of BLM-administered lands proposed in the Draft Plan is in conformance with the regulations found at 43 CFR 3715.

>> An alternative meets the Project purpose and need if it is ‘technically and economically’ feasible. See FAQs Fact Sheet.

The level of analysis is in proportion to the potential impacts and *after taking into account* any Project design features, best management practices and mitigation.

VI. PUBLIC COMMENT ON “DRAFT” ENVIRONMENTAL ASSESSMENT – COMPLETED - SUMMER 2018

The 60-day public comment period was initiated on July 7, 2018. The BLM published a news release on June 27, 2018 announcing the review period and open house on July 11, 2018. Postcards were mailed to approximately 1,519 individuals on June 29, 2018. Email notification was made to approximately 616 individuals on July 6, 2018. The press release was published in the *Wickenburg Sun* on July 3, 2018, in *The Yellow Sheet* on July 4, 2018, and the *Prescott Courier* on July 5, 2018. On July 11, 2018 the BLM held a public meeting at the Kirkland Community Center. The meeting included presentations by the BLM on various resources, an open comment period, and one-on-one session with specialists at various stations. Approximately 105 people were in attendance.

The “draft” environmental assessment had incorporated issue-based comments from scoping that were relevant to the Project’s purpose and need.

The public was asked for *substantive comments* on the analysis and any supporting reports. The BLM provided a comment form with guidance on writing substantive comment(s). The comment period ended on September 4, 2018. As of September 10, 2018 the BLM had received approximately 351 comment emails and/or letters to consider (more than 1,000 pages with attached literature, references etc.). On September 20, 2018 the BLM published on the Project website, updates to three Fact Sheets, and all public comments received during the 60-day comment period, including the transcripts from the July 11, 2018 public meeting.

VII. PREPARE “FINAL” ENVIRONMENTAL ASSESSMENT – COMPLETED - FALL 2018

Incorporates substantive comments from review of the “draft” environmental assessment.

Provides summarized responses to substantive comments on the “draft” environmental assessment.

VIII. DECISIONS – COMPLETED - DECEMBER 3, 2018



In reviewing the *context* and *intensity* of potential impacts, the BLM has determined that the project would not have significant effects and has approved a Finding of No Significant Impact in accordance with 43 CFR 1508.27).

The BLM has approved the Final Environmental Assessment by signing a Decision Record, which is subject to a 30-day appeal under 43 CFR 4.21.

The BLM notified 2,190 persons, agencies, and/or organizations on the project mail and email lists of the approval of the project on December 3, 2018.

The BLM published a press release announcing the approval of the project on December 3, 2018.

IX. FINAL MINING AND RECLAMATION PLAN AND FINANCIAL ASSURANCE FOR RECLAMATION – WINTER 2018

The Plan would be finalized to incorporate any changes in the Project and Project mitigation measures that come out of the environmental analysis process.

Kirkland Mining Company, LLC will provide financial assurance to ensure reclamation of the mined site to a post-mine land use (required by the BLM regulations at 43 CFR Subpart 3809.401 (d)).